

OCT 14 2004

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Craig Gardner et al. Confirmation No.: 1869

Serial No.: 09/832,608 Examiner: E. Winakur

Filing Date: April 4, 2001 Group Art Unit: 3736

Docket No.: 1023.1117101 Customer No.: 28075

For: OPTICALLY SIMILAR REFERENCE SAMPLES AND RELATED METHODS FOR  
MULTIVARIATE CALIBRATION MODELS USED IN OPTICAL SPECTROSCOPY**TRANSMITTAL SHEET**

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

**CERTIFICATE UNDER 37 C.F.R. 1.10:** The undersigned hereby certified that this paper or papers, as described herein are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of: EV 314495786 US, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 13th day of October 2004

By Kathleen L. Boekley  
 Kathleen L. Boekley

We are transmitting herewith the attached:

- [XX] Amendment  
 [XX] No additional claim fee required  
 [ ] The claim fee has been calculated as shown:

CLAIMS AS AMENDED							
	(3)	(4)	(5)	SMALL ENTITY		OTHER	
	REMAINING CLAIMS	HIGHEST PAID	EXTRA	RATE	ADD'L FEE	RATE	ADD'L FEE
TOTAL CLAIMS	-	=		X 9=	\$	X 18=	\$
INDEPENDENT CLAIMS	-	=		X 44=	\$	X 88 =	\$
( ) FIRST MULTIPLE DEPENDENT CLAIM				+ 150 =	\$	+ 300 =	\$
TOTAL				\$		\$	

A check in the amount of \$ \_\_\_\_\_ is enclosed. Itemization:

Fee Code \_\_\_\_\_ \$

Fee Code \_\_\_\_\_ \$

Fee Code \_\_\_\_\_ \$

Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established.

Other: \_\_\_\_\_.

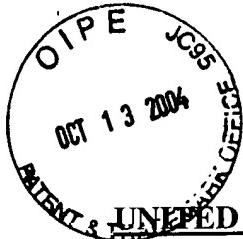
Return Receipt Postcard (MPEP 503).

Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 50-0413.

By: \_\_\_\_\_

Brian N. Tufte, Reg. No. 38,638

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PATENT

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By Kathleen L. Boekley  
Kathleen L. Boekley

Dear Sir:

This paper is in response to the Office Action mailed July 13, 2004, with a shortened statutory period set to expire on October 13, 2004. This paper is filed within the set period for response such that no extension of time is necessary.

Please consider the following amendments and/or remarks:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 16 of this paper.